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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/458,820	12/13/1999	WUPING DONG	FUJI-111	9320

23995 7590 10/06/2004

RABIN & Berdo, PC  
1101 14TH STREET, NW  
SUITE 500  
WASHINGTON, DC 20005

EXAMINER
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PASS, NATALIE

ART UNIT	PAPER NUMBER
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3626

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/458,820

Applicant(s)

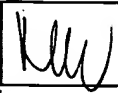
DONG, WUPING

Examiner

Natalie A. Pass

Art Unit

3626



--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 06 July 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

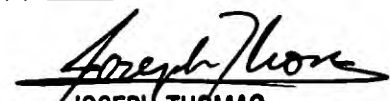
NOTE: \_\_\_\_\_.

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed <sup>RESPONSE</sup> amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: NONE.Claim(s) objected to: NONE.Claim(s) rejected: 1-4.Claim(s) withdrawn from consideration: NONE.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_

  
JOSEPH THOMAS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600

Continuation of 5. does NOT place the application in condition for allowance because:

i Applicant apparently rehashes arguments previously addressed in the Final Office Action (paper number 18). In particular, each and every limitation of independent claims 1 and 2 and dependent claims 3 and 4 were properly addressed in pages 2-4 of the detailed Final Office Action, and are incorporated herein. In addition, the motivation to combine the applied references, was clearly accompanied by select portions of the respective references which specifically support that particular motivation [see paper number 16, pages 4-6].

ii. Applicant analyzes the applied references separately in the Response After Final Office Action, and argues each of the references individually, and therefore fails to consider the full teachings of the applied references. In response to Applicant's piecemeal analysis of the references, it has been held that one cannot show non-obviousness by attacking references individually where, as here, the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981). Furthermore, according to *In re Jacoby*, 135 USPQ 317 (CCPA 1962), the skilled artisan is presumed to know something more about the art than only what is disclosed in the applied references. *In re Jacoby*, 135 USPQ 317 (CCPA 1962).

iii. Applicant argues that claim 1 includes the limitation of "addressing a ticket booking commencement request from the personal computer to the local computer" and "sending reservation system information from the local computer to the personal computer via the network responding to the ticket booking commencement request." Applicant also argues that the disclosure, on page 10 at lines 14-23, describes the personal computer receiving from the local computer information including the URL, and that "the invention as claimed in independent claims 1 and 2 is neither disclosed nor suggested in the cited references." In response, the Examiner notes that the personal computer receiving from the local computer information including the URL is not recited in the claim language. Furthermore, Examiner strongly advises that the claimed invention was considered "as a whole" and that every limitation recited in the claims were specially addressed within the prior Office Actions (papers number 16 and 18) and further that Applicant fails to appreciate the breadth of the claim language that is presently recited.

Continuation of 7. Claims have not been amended and would be rejected for the same reasons as in the Final Office Action (paper number 18).